

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-cr-113-pp

FERNANDO REYES,

Defendant.

**ORDER ADOPTING JUDGE JONES'S REPORT AND RECOMMENDATION
(DKT. NO. 502) AND ACCEPTING DEFENDANT'S GUILTY PLEA**

On May 16, 2019, the defendant and his counsel appeared before Magistrate Judge David E. Jones for a change-of-plea hearing. Dkt. No. 502. Interpreter Susan Rascon assisted the court and the parties with interpretation. The parties informed Judge Jones of certain disagreements they had as to drug weights attributable to the defendant, forecasting to some extent the argument they would make at sentencing, but the defendant indicated that he wished to change his plea despite these disagreements. Dkt. No. 500. The defendant consented to Judge Jones taking the plea. Dkt. No. 502. Judge Jones explained that he would make a recommendation to this court, and that this court would decide whether to accept the plea. Id. After questioning the defendant under oath, Judge Jones found him to be “lucid, intelligent, and not under the influence of any intoxicants or substances.” Id. Judge Jones also questioned the defendant about his rights, the penalties associated with the offense to which he was pleading, and this court’s final authority to impose a sentence regardless of the recommendations of the probation department or the parties. Id. at 1-2. At the end of the hearing, Judge Jones concluded, and recommended that this court find, that the

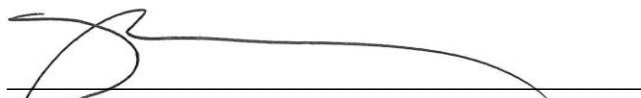
defendant's plea was knowing and voluntary, and supported by an independent factual basis. Id. at 2. Judge Jones recommended that the court accept the defendant's guilty plea and schedule a sentencing hearing. Id.

No party has objected to Judge Jones's report and recommendation. Having reviewed the docket, the plea hearing and Judge Jones' findings, the court **ADOPTS** Judge Jones's report and recommendation. Dkt. No. 502. The court **ACCEPTS** defendant Fernando Reyes's guilty plea, finding that he entered it knowingly and voluntarily, understanding his rights and the consequences of his plea.

The court **ORDERS** that the probation department must disclose the initial presentence investigation report by August 20, 2019; objections are due by September 3, 2019. The court **ORDERS** that the probation department must docket the revised presentence report by September 24, 2019. The court **ORDERS** that if parties have supplemental sentencing materials—letters of support, supplemental sentencing memoranda—they must file those documents by September 24, 2019. The court **ORDERS** that the parties must appear for the sentencing hearing on October 2, 2019 at 1:30 p.m. in courtroom 222.

Dated in Milwaukee, Wisconsin this 3rd day of June, 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge